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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,807	07/14/2003	Shao-Chueh Hu	BHT-3212-31	4169

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TROXELL LAW OFFICE PLLC
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH, VA 22041

EXAMINER

GOMA, TAWFIK A

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	10/617,807		HU, SHAO-CHUEH	
	Examiner		Art Unit	
	Tawfik Goma		2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 and 13-20 is/are rejected:
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the RCE filed on 1/22/2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11, and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Packer (US 6058453).

Regarding claim 1, Packer discloses a method for reading a coded audio data file in an optical storage medium and buffering the audio data file to a buffer memory (518, fig. 5a and fig. 6b)); said audio data file comprising a plurality of blocks which are stored sequentially in a plurality of storing units in said optical storage medium (fig. 1c), each block divided into a subcode block and a corresponding main data block (fig. 1c and fig. 2), said subcode block comprising a plurality of coded subcodes (122, fig. 1c and col. 2 lines 36-39), said subcodes comprising an address for each corresponding block (col. 2 lines 40-52), said main data block correspondingly comprising said coded audio data (col. 5 lines 43-49), the method comprising following steps: (a) designating a starting block where buffering starts, decoding via a subcode decoding procedure to obtain said subcodes in said subcode block, and searching for said starting block in said blocks in said optical storage medium (col. 6 lines 8-25); (b) when said starting block is searched, triggering a main data decoding procedure to correspondingly decode said starting block and said main data blocks in later blocks (col. 6 lines 26-37 and fig. 3),

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then sequentially buffering decoded audio data respectively in a plurality of corresponding buffer units in said buffer memory after performing decoding (518, 516, fig. 5a); and (c) according to the timing when said main data decoding procedure is triggered, deciding the timing when said decoded subcodes should be buffered to said buffer memory (col. 6 lines 8-25), in order that said subcodes and corresponding audio data which belong to the same block before decoding can be buffered to the same buffer unit after respectively decoded (fig. 5c, fig. 5d and col. 8 lines 65-67 thru col. 9 lines 1-24); wherein the timing of said corresponding audio data buffered to said buffer memory lags behind the timing of said subcode buffered to the buffer memory by at least one block (fig. 3)

Regarding claim 2, Packer further discloses wherein in the step (b), after said starting block is searched, a matching flag will be emitted to a subcode buffer controller and a main data buffer controller, so as to respectively trigger the later subcode decoding procedure of said subcode buffer controller and trigger said main data decoding procedure of said main data buffer controller (figs. 5b, 5c, fig. 6a and col. 8 lines 10-25 and col. 9 lines 1-13).

Regarding claim 3 Packer further discloses wherein at least one block is distanced between where said main data buffer controller receives said matching flag and where said main data buffer controller triggers said main data decoding procedure; the number of said distanced blocks is decided by the timing of triggering said main data decoding procedure (fig. 3, fig. 5c and col. 8 lines 46-65).

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Regarding claim 4, Packer discloses wherein said starting block is searched by an address control unit, and said address control unit also emits said matching flag after searching for said starting block (505, fig. 5a).

Regarding claim 5, Packer further discloses wherein said buffer memory comprises said buffer unit to correspondingly store said decoded subcodes and audio data (504a, 504b and 518 fig. 5a).

Regarding claim 6, Packer further discloses wherein each of said buffer unit comprises a subcode unit and a main data unit; both said subcode unit and said main data unit are used to respectively store the decoded subcodes and audio data (fig. 5c).

Regarding claim 7, Packer further discloses wherein said buffer memory can be DRAM (col. 7 line 50).

Regarding claim 8, Packer further discloses wherein an optical storage device proceeds said method; said optical storage device connects to a computer host and receives a reading command from said computer host to proceed said method (522, fig. 5a and fig. 7).

Regarding claim 9, Packer further discloses wherein the block which said reading command asks to read is defined as a target block, and said address control unit can decide the starting block via a starting block deciding procedure (col. 6 lines 51-65).

Regarding claims 11, claim 11 is rejected for the same reasons as claims 1 and 4 above. Packer further discloses a subcode buffer controller and a main data buffer controller (516, fig. 5).

Regarding claim 12, claim 12 is rejected for the same reasons as claim 1 above.

Regarding claim 13, claim 13 is rejected for the same reasons as claim 2 above.

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Regarding claim 14, claim 14 is rejected for the same reasons as claim 3 above.

Regarding claim 15, claim 15 is rejected for the same reasons as claim 5 above.

Regarding claim 16, claim 16 is rejected for the same reasons as claim 6 above.

Regarding claim 17, claim 15 is rejected for the same reasons as claim 8 above.

Regarding claim 18, claim 18 is rejected for the same reasons as claim 9 above.

Regarding claim 19, claim 19 is rejected for the same reasons as claim 10 above.

Regarding claim 20, Ado further discloses a compact disc medium with digital audio format (fig. 4(C)).

Response to Arguments

Applicant's arguments with respect to claims 1-11 and 13-20 have been considered but they are not persuasive. Regarding applicant's argument that Packer fails to disclose the limitation "according to the timing when said main data decoding procedure is triggered, deciding the timing when said decoded subcodes should be buffered to said buffer memory," this argument is not persuasive because Packer discloses detecting a timing when an MSF (minutes, seconds, frames) is detected (col. 7 lines 27-32) and then beginning the transfer of data to the buffer memory which is the decoding process for subcode information. The decoding process for main data begins when the desired MSF is detected as the main data block to be decoded, and the subcodes are decoded according to the timing when the MSF for the data block is detected.

Regarding applicant's argument that the "counters are not used to decide when subcodes are buffered to the buffer memory," this argument is not persuasive because the counters are used to keep the subcodes in the buffer memory blocks prior to releasing them. If the counters do not indicate that the block corresponding to a main data and its

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subcode is to be released, the counters are used to decide that the subcode should be buffered to the buffer memory at that time point.

Regarding applicant's arguments with respect to claim 9, applicant's arguments are not persuasive because Packer discloses providing a target block (MSF, and col.6 lines 51-65) and that the address control unit decides the starting block with a starting block deciding procedure(figs. 5b, 6b).

Regarding applicant's arguments with respect to claim 10, applicant's arguments are persuasive and the claim is objected to as allowable (see below).

Allowable Subject Matter

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

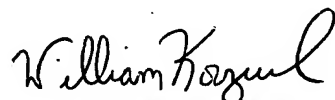
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tawfik Goma whose telephone number is (571) 272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


T. Goma
4/9/2007


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